

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

Ronald Miller,

Plaintiff,

v.

Case No. 13-11748

Commissioner of Social Security,

Sean F. Cox

United States District Court Judge

Defendant.

ORDER ADOPTING
9/17/18 REPORT AND RECOMMENDATION

Plaintiff Ronald Miller filed this action seeking judicial review of Defendant's decision denying his application for Social Security benefits under 42 U.S.C. § 405(g). The matter was remanded to Defendant for further proceedings.

In a Report and Recommendation issued on September 17, 2018, the magistrate judge addressed Plaintiff's Motions for Attorney Fees and Expenses Pursuant to the Equal Access to Justice Act ("EAJA"). In it, she recommends that: 1) "Plaintiff's first Motion for Attorney Fees and Expenses Pursuant to the EAJA (docket no. 34) be GRANTED IN PART and that Plaintiff be awarded \$14,946.00 in attorney fees and expenses;" 2) "Plaintiff's second Motion for Attorney Fees and Expenses Pursuant to the EAJA (docket no. 42) be DENIED;" and 3) "Plaintiff's Attorney's Motion for an Award of Attorney Fees Under 42 U.S.C. § 406(b) (docket no. 43) be GRANTED IN PART and that Plaintiff's attorney be awarded \$20,342.22 in attorney fees." (R&R at 2).

Pursuant to FED. R. CIV. P. 72(b), a party objecting to the recommended disposition of a matter by a Magistrate Judge must file objections to the R&R within fourteen (14) days after being served with a copy of the R&R. “The district judge to whom the case is assigned shall make a *de novo* determination upon the record, or after additional evidence, of any portion of the magistrate judge’s disposition to which specific written objection has been made.” *Id.*

The time for filing objections to the R&R has expired and the docket reflects that neither party has filed objections to the R&R.

The Court hereby ADOPTS the September 17, 2018 R&R. IT IS FURTHER ORDERED that 1) Plaintiff’s first Motion for Attorney Fees and Expenses Pursuant to the EAJA (docket no. 34) is GRANTED IN PART and that Plaintiff IS AWARDED \$14,946.00 in attorney fees and expenses; 2) Plaintiff’s second Motion for Attorney Fees and Expenses Pursuant to the EAJA (docket no. 42) is DENIED; and 3) Plaintiff’s Attorney’s Motion for an Award of Attorney Fees Under 42 U.S.C. § 406(b) (docket no. 43) is GRANTED IN PART and that Plaintiff’s attorney IS AWARDED \$20,342.22 in attorney fees.

IT IS SO ORDERED.

s/Sean F. Cox
Sean F. Cox
United States District Judge

Dated: October 10, 2018

I hereby certify that a copy of the foregoing document was served upon counsel of record on October 10, 2018, by electronic and/or ordinary mail.

s/Jennifer McCoy
Case Manager